

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Z.A., an Infant, by and through his Parents
and Natural Guardians, CARMIT
ARCHIBALD and GEORGES
ARCHIBALD, and CARMIT ARCHIBALD,
individually,

Plaintiffs,

- against -

HYATT CORPORATION,

Defendant.

Docket No. 1:24-cv-03742

**HYATT CORPORATION'S STATEMENT OF MATERIAL FACTS
IN SUPPORT THEIR MOTION FOR SUMMARY JUDGMENT**

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STATEMENT OF MATERIAL FACTS

Defendant Hyatt Corporation (“HC”) submits the following statement of material facts pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1:

1. Plaintiffs’ allege that they were on a family vacation at the Park Hyatt St. Kitts, in St. Kitts, Nevis, when Z.A. was struck by an aquatic basketball hoop while playing basketball in the pool area on April 9, 2023. Ex. F, ¶2.
2. Hyatt Corporation (“HC”) is a Delaware incorporated company with its principal place of business in Illinois. Ex. A, ¶2.
3. Hyatt Hotels Corporation (“HHC”) is HC’s parent company, and is also a Delaware incorporated company with its principal place of business in Illinois. Ex. B, ¶2.
4. The Park Hyatt St. Kitts (the “Resort”) is a resort complex located in St. Kitts and Nevis in the British West Indies. Ex. F¶2, Ex. A, ¶3, Ex. B., ¶3.
5. The Resort is owned by Range Developments Limited, a limited liability company incorporated in St. Kitts and Nevis, with its principal place of business in St. Kitts and Nevis. Ex. C, ¶1.
6. Range Development Limited entered into a Management Agreement with Hyatt Caribbean Services, L.L.C., for the supervision, direction, control, management, and operation of the Resort. Ex. C. §2, p. 10.
7. Hyatt Caribbean Services, L.L.C, is incorporated in Delaware, with its principal place of business in Chicago, Illinois. Ex. C, ¶1.
8. Hyatt Caribbean Services, L.L.C., is a separate legal entity from HC. Ex. A, ¶6.
9. Hyatt Caribbean Services, L.L.C., is a separate legal entity from HHC. Ex. B, ¶6.

10. HC does not have any operational responsibility or direct ownership interest in the Park Hyatt St. Kitts property, or any portion of the facilities that comprise the Resort. Ex. A, ¶7.
11. HC does not have any operational responsibility or direct ownership interest in the Park Hyatt St. Kitts property, or any portion of the facilities that comprise the Resort. Ex. A, ¶8.
12. HC does not have a partnership or joint venture with the Resort. Ex. A, ¶8.
13. HC does not own, maintain or have control over the Resort or any of its facilities, including the pool area of the Resort, and is not involved in the Resort's operations directly nor indirectly. Ex. A, ¶9.
14. HC is not a party to any contract with either codefendant or any other entity for the management or operation of the Hotel or the Water Park. Ex. A, ¶10.
15. The claims asserted by Plaintiffs do not involve Hyatt Corporation's operations and/or business contacts in New York to the extent any might exist. Ex. A, ¶11.
16. HC is not authorized to do business in the State of New York. Ex. A, ¶12.
17. HC has never commenced any lawsuit in the State of New York related to Plaintiffs' stay at the Resort, the incident in the pool area of the Resort, or any of Plaintiffs' claims asserted in this lawsuit. Ex. A, ¶13.
18. HC has not generated any revenue in the State of New York related to Plaintiffs or their claims. Ex. A, ¶14.
19. HC representatives did not travel to the State of New York to conduct any business transactions related to Plaintiffs or their claims. Ex. A, ¶15.
20. HC has no employees in any location including in the State of New York nor in the British West Indies. Ex. A, ¶16.
21. HC has no accounts in the State of New York nor in the British West Indies. Ex. A, ¶17.

22. HC has no real property in the State of New York nor in the British West Indies. Ex. A, ¶18.

23. HC has no personal property in the State of New York nor in the British West Indies. Ex. A, ¶19

24. HC has never filed a tax return in the State of New York nor in the British West Indies. Ex. A, ¶20.

25. The statements numbered 10 through 25 herein, are also true as to HC's parent company, HHC. Ex. B, ¶¶8-21.

Dated: October 2, 2024

Respectfully submitted,

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